

**THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**ROGER D. MOSBY
ADC #63018**

PLAINTIFF

v.

No. 5:13-cv-118-DPM

LARRY B. MAY *et al.*

DEFENDANTS

ORDER

Mosby has objected, *No* 7, to Magistrate Judge Jerome T. Kearney's recommendation *No* 3. On *de novo* review, the Court adopts the proposal with clarifications. FED. R. CIV. P. 72(b)(3). Mosby is a three-striker. His eighteen pages of objections and supporting material do not show that he is in imminent danger of physical injury. He therefore cannot proceed *in forma pauperis*. 28 U.S.C. § 1915(g). His motion to do so, *No* 1, is denied. The Court will enter Judgment dismissing his complaint without prejudice unless he pays the \$350 filing fee by 27 May 2013. The recent motion for more time to file more objections to Judge Kearney's recommendation, *No* 9, is denied.

So Ordered.



D.P. Marshall Jr.
United States District Judge

15 May 2013